

REMARKS

Claims 10, 11, 15, 17, 18, and 20-28 are pending in the present application. Claims 12-14, 16, and 19 are hereby canceled. Claims 27 and 28 are new. Claims 10, 11, 15, 17, 18, 21, 23, and 24 have been amended. Claims 10, 27, and 28 are independent claims. The Examiner is respectfully requested to reconsider the outstanding rejections in view of the above amendments and the following remarks.

Rejection Under 35 U.S.C. § 112

Claims 17 and 18 stand rejected under 35 USC 112, 2nd paragraph, as being indefinite. Specifically, the Examiner states that “the stored content information” in these claims lack antecedent basis. Applicants have amended claims 17 and 18 to replace the aforementioned phrase with --the stored context information--, which has sufficient antecedent basis (see claim 10). Thus, the Examiner is respectfully requested to withdraw this rejection.

Rejection Under 35 U.S.C. § 103

Harui/Browne

Claims 10, 15, 18, and 20-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,690,394 to Harui (hereafter “Harui”) in view of U.S. Patent Application Publication No. 2004/0135815 to Browne et al. (hereafter “Browne”). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

As amended, independent claim 10 recites that the context information is obtained by automatically performing at least one of the following:

- applying text recognition to an annotation drawn by the user on the display, and storing the results as context information,
- determining whether a displayed graphical element represents textual data, and extracting a character or word from the textual data, and storing the extracted character or word as context information, and

- determining whether a displayed graphical element is associated with underlying data, extracting a property of the underlying data from an application causing the graphical element to be displayed, and storing the extracted property as context information.

Claim 10 further recites that the thus extracted context information is automatically stored in association with the image file in which the captured image pixels are stored. Applicants respectfully submit Harui and Browne, taken separately or in combination, fail to teach or suggest the above claim features.

Deficiencies of Harui

Harui's invention is implemented as a feature in a web browser that allows the user to specify all or a portion of a web page whose contents are to be periodically sent to a wireless device, e.g., a pager or cellular phone. Harui teaches that the user also specifies how often, and at what time, the selected content should be sent to the pager/cell phone. See Harui at col. 3, lines 19-37; col. 4, lines 14-18.

However, Harui does not automatically determine whether an element displayed in the browser represents, or is associated with, data from which context information is to be extracted. Instead, Harui relies on the user to select the portions of the displayed webpage whose contents are to be sent to the wireless device.

Also, Harui does not disclose anything with respect to performing text recognition on a user annotation. Thus, Harui does not teach or suggest using the results of such text recognition to extract context information from the display.

In addition, as acknowledged by the Examiner (see Office Action at page 4), Harui does not disclose the storage of captured image pixels in an image file. Thus, Harui cannot be relied on to teach or suggest automatically storing the extracted context information in association with the claimed image file.

Browne Fails to Remedy Harui's Deficiencies

As to Browne, this reference discloses a system in which metadata information are represented by icons. Browne's system also represents digitized images as thumbnail representations. According to one aspect of Browne, when the user wishes to associate a particular metadata item with a particular image, the user drags the thumbnail of the image to a window containing that icon. See Browne at ¶¶ 0133-6. According to another aspect, Browne's system also contains an Image View window in which the user may select a particular region of the image by drawing a path around that region (via mouse, stylus, etc.). The user may then choose a particular metadata item to be associated with the selected image region by clicking on the icon that represents the metadata item. See Browne at ¶ 0172.

As discussed above, Browne requires the user to make the determination as to which metadata items correspond to an image or a selected region of an image. Thus, Browne fails to teach or suggest automatically determining whether a graphical element in the selected image region represents or is associated with data from which context information is to be extracted.

Further, Browne does not disclose anything with respect to text recognition. Thus, Browne fails to teach or suggest performing text recognition on a user annotation to obtain context information.

In addition, Browne requires the user to designate which metadata items are associated with which image or image region. Thus, Brown does not teach or suggest automatically storing context information in association with an image file, as claimed.

Claims Allowable over Harui/Browne

Thus, Harui and Browne, taken separately or in combination, fail to teach or suggest every element recited in independent claim 10, particularly, those claim features listed above at the beginning of this section. At least for this reason, Applicants submit that claim 10 is allowable. Accordingly, claims 15, 18, and 20-22 are allowable at least by virtue of their dependency on

claim 10. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Harui/Browne/Oppermann

Claims 11, 25, and 26 stand rejected under § 103(a) as being unpatentable over Harui and Browne, and further in view of U.S. Patent No. 6,334,157 to Oppermann et al. (hereafter “Oppermann”).

Applicants respectfully submit that Oppermann fails to remedy the deficiencies of Harui and Browne set forth above in connection with independent claim 10. Oppermann’s invention enables an accessibility aid to directly access user interface elements of an application program in order to manipulate the user interface elements to be perceived by a disabled user (see abstract; col. 4, lines 6-39). Applicants submit that Oppermann’s invention is not concerned with obtaining context information for a selected on-screen region, or with storing context information in association with an image file. Thus, Oppermann cannot be used to supply the elements of claim 10 that are missing from Harui/Browne.

Accordingly, Applicants submit that claims 11, 25, and 26 are allowable at least by virtue of their dependency on claim 10. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Harui/Browne/Newman

Claim 17 stands rejected under § 103(a) as being unpatentable over Harui and Browne, and further in view of U.S. Patent Application Publication No. 2003/0101156 to Newman (hereafter “Newman”). It is respectfully submitted that Newman fails to remedy the deficiencies of Harui and Browne that are set forth above in connection with independent claim 17. Particularly, Newman is merely relied upon for teachings related to a database system and method in which a linking structure between a stored image file and information is incorporated in a separate file (see Office Action at page 8). Accordingly, Applicants submit that claim 17 is

allowable at least by virtue of its dependency on claim 10. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion

Since the remaining patent cited by the Examiner has not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

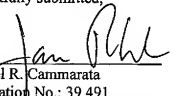
In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: February 11, 2008

Respectfully submitted,

for  #47,305
By Michael R. Cammarata
Registration No.: 39,491
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant